

## Attachment C

### District Representation Goal and Points of Discussion

#### “Dependent Districts”

Dependent Districts are those whose governing Board is the County Board of Supervisors. For example, County Service Areas (CSA's) are the water purveying special districts for the County and provide water service in Shandon (CSA 16), Santa Margarita (CSA 23), Avila Valley (CSA 12) and Cayucos (CSA 10). The San Luis Obispo County Flood Control and Water Conservation District (Flood Control District) is also a “dependent district” of the County. It is a Special Act District and your Board is its governing Board. It does not provide retail water service like the County Service Areas and instead provides wholesale water to all seven cities and many unincorporated communities through the Nacimiento Water Project, the State Water Project, Salinas Dam/Santa Margarita Lake and Lopez Water. The District also has flood control and drainage responsibilities, and is the lead agency of the Memorandum of Understanding between local agencies covering the Integrated Regional Water Management Plan.

#### “Independent Districts”

Independent Districts are those whose governing Boards are not the Board of Supervisors and they are therefore independent of the County. The best known in San Luis Obispo County are the Community Services Districts (CSD's), which provide water and other municipal services in San Miguel, Heritage Ranch, Templeton, Cambria, San Simeon, Los Osos, Oceano, and Nipomo. Other CSD's also exist that provide road maintenance or wastewater services, as examples. In general, when CSD's provide water services, they do so in unincorporated communities that are larger than those served by the dependent County Service Areas. In larger agricultural areas within California, independent districts include California Water Districts and districts or water management “agencies” that are created by special legislation.

#### “Quasi-Dependent/Quasi-Independent” (Quasi-Districts)

The Quasi-Districts are those whose governing Boards are not the Board of Supervisors and yet there still exists some decision-making authority by the Board of Supervisors. Examples include the Monterey County Water Resources Agency and the Kern County Water Agency. Both agencies were originally Flood Control Districts for their counties but were subsequently modified by special legislation. In another case, the governing board for Zone #7 of Alameda County Flood Control is independently elected and yet

the Board of Supervisors still maintains some authority, but only for Zone #7 and not the rest of the Alameda County Flood Control and Water Conservation District. In summary, the quasi-districts entail shared authority or shared power with the Board of Supervisors. In general, the Boards of Supervisors still retain authority over litigation and budgets but specifics differ between the various quasi-districts.

### Discussion Points

In contrast to identifying objectives for a more robust AB 3030 Plan, the following are some points that your Board may wish to discuss in comparing dependent districts, independent districts, and quasi-districts and how to achieve the goal of establishing fair representation.

- What preference do basin stakeholders have? How important is local control by stakeholders?
- Can the details of basin management efforts be accommodated in the schedule of a County Board of Supervisors, which include a wide range of other responsibilities?
- Does the Board of Supervisors need to be the governing board of the groundwater management district if your existing police powers provide your Board with the ability to adopt land use and groundwater management regulations?
- If a quasi-district such as Zone #7 of Alameda County Flood Control is considered, how should the sharing of authority be established between the Board of the Zone and the Board of Supervisors? Will it create multiple lines of authority (i.e. two governing Boards) for staff to report to?
- If an independent district is pursued, will it be only to help in development of supplemental water supplies or will it seek to prepare and adopt an AB 3030 Plan?
- Since AB 3030 was adopted by the State Legislature's with intent to create an option for "cooperative approaches" to groundwater management, and because the Water Code provides specific guidance on plan development and its components, then would special legislation to create a special act (independent) district only need to address how the governing Board would be structured? Should other conditions in any such legislation also be considered?
- Can the County create an incentive to a special act (independent) district that supports management by basin stakeholders?

## Summary of Goal #2 – Establish Fair Representation on the Groundwater District's Governing Board

It is important to establish a groundwater district with fair representation on its governing board to develop the trust and collaboration needed to implement an AB 3030 Plan. Although the legislative intent of AB 3030 is cooperative management, the success of cooperative management requires a governing board that stakeholders believe can make difficult decisions while understanding complex technical issues. WCS 10753.10 states "In adopting rules and regulations [...], the local agency shall consider the potential impact of those rules and regulations on business activities, including agricultural operations, and to the extent practicable and consistent with the protection of the groundwater resources, minimize any adverse impacts on those business activities." In summary, Goal #1 focuses on objectives that can be drawn from AB 3030 and applicable provisions of the California Water Code, and Goal #2 focuses on how to develop a board of decision-makers that can carry-out the intent of AB 3030 in a fair and balanced manner.

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